

SENATE BILL 3078  
By Fowler

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 1,  
Part 4, relative to equitable opportunity.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 1, Part 4, is amended by  
adding the following language as a new, appropriately designated section:

(a) The title of this section is, and may be cited as the "Tennessee Commission  
on Equitable Opportunity Act".

(b) There is created a commission on equitable opportunity. The commission  
shall be composed of the commissioner of general services, or the commissioner's  
designee; the commissioner of transportation, or the commissioner's designee; the  
comptroller of the treasury, or the comptroller's designee; the attorney general and  
reporter, or the attorney general's designee; the president of the university of Tennessee  
system, or the president's designee; the chancellor of the state university and  
community college system, or the chancellor's designee; the Title VI compliance officer  
within the Tennessee human rights commission; the director of the office of business  
enterprise within the department of economic and community development; four (4)  
members of the Tennessee senate, to be appointed by the speaker of the senate; four  
(4) members of the Tennessee house of representatives, to be appointed by the speaker  
of the house of representatives; and five (5) distinguished citizens of Tennessee who  
shall not be officials or employees of state government or any entity thereof, to be

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appointed by the governor with at least one but not more than two (2) of such citizens being appointed from each of the state's three (3) grand divisions. A quorum for the transaction of commission business shall consist of eleven (11) members. From its membership, the commission shall elect a chair, a vice chair and such officers as shall be deemed desirable and expedient. The governor shall convene the organizational meeting of the commission on or before August 15, 1998.

(c) Members of the commission who are not officials or employees of the state of Tennessee shall be reimbursed for travel expenses in accordance with the provisions of the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general.

(d) The commission shall be administratively attached to the department of finance and administration; however, for all purposes other than administration, the commission shall be an independent entity of state government. The commission is authorized to employ an executive director having appropriate training and experience to assist the commission in the performance of its duties. Such director shall be responsible for compiling the work and preparing the final report of the commission. The commission is also authorized to employ such other staff as shall be necessary for the performance of its duties.

(e) With respect to the various employment and promotion opportunities in the private sector and in state government and in the state's public institutions of higher education, with respect to enrollment in the various educational programs offered at the state's public institutions of higher education and with respect to the contractual opportunities of private vendors regardless of whether they supply goods and services to or on behalf of state government, the commission shall perform the following duties:

- (1) Quantify the extent and nature of participation by women;
- (2) Quantify the extent and nature of participation by African Americans;

(3) Quantify the extent and nature of participation by other racial minorities;

(4) Identify and evaluate all state laws, programs and policies intended to promote or ensure equitable opportunity for participation by women, African Americans and other racial minorities;

(5) Identify and evaluate all state laws, programs and policies which prohibit gender and racial discrimination; and

(6) Develop and recommend such laws, programs and policies as shall be reasonably necessary to abolish gender and racial discrimination and to achieve equitable opportunity in state government.

(f) Each agency and entity of state government shall cooperate fully with the commission in supplying requested information and assistance.

(g) On or before January 31, 1999, the commission shall publish a report of its final findings and recommendations, at which time the commission shall terminate and shall cease to exist. Provided, however, by joint resolution the general assembly may extend such reporting date and termination date for any period not extending beyond January 31, 2001.

SECTION 2. This act shall take effect July 1, 1998, the public welfare requiring it.